

RESULTS OF INVESTIGATION: The article had been prepared in Clifton, N.J., from shell eggs shipped as above and then delivered to Jersey City, N.J., for storage.

LIBELED: 10-10-63, Dist. N.J.

CHARGE: 402(a)(3)—contained decomposed eggs while held for sale.

DISPOSITION: 11-18-63. Default—destruction.

29250. Frozen eggs. (F.D.C. No. 49320. S. No. 15-138 X.)

QUANTITY: 48 30-lb. cans at Louisville, Ky.

SHIPPED: On unknown dates, shell eggs had been shipped from the State of Indiana.

LABEL IN PART: (Can) "Frozen Whole Eggs * * * Packed By Cox Poultry Farm Valley Station, Ky."

RESULTS OF INVESTIGATION: Investigation showed that Cox Poultry Farm had prepared and packed the article from shell eggs received from various egg producers in the State of Indiana.

LIBELED: 9-17-63, W. Dist. Ky.

CHARGE: 402(a)(3)—contained decomposed eggs while held for sale.

DISPOSITION: 11-27-63. Default—destruction.

FEEDS AND GRAINS

29251. Shelled feed corn. (F.D.C. No. 48930. S. Nos. 16-001/2 V.)

INFORMATION FILED: 9-6-63, S. Dist. Ind., against Funk Bros. Seed Co., a corporation, Rockville, Ind.

SHIPPED: Between 10-15-62 and 10-17-62, from Indiana to Illinois.

CHARGE: 402(a)(2)(B)—when shipped, the article was a raw agricultural commodity and it bore and contained a pesticide chemical, captan, which was unsafe within the meaning of 408(a) since no tolerance or exemption from the requirement of a tolerance for such pesticide chemical on shelled feed corn had been prescribed.

PLEA: Guilty.

DISPOSITION: 10-10-63. \$200 fine, plus costs.

29252. Tankage and meat and bone scraps. (F.D.C. No. 48768. S. Nos. 33-619/20 V.)

QUANTITY: 143 100-lb. bags of tankage, and 41 100-lb. bags of meat and bone scraps, at St. Paul, Minn.

SHIPPED: 11-5-62 and 2-14-63, from Meriden, Iowa, by Fredrickson Grain Co.

LABEL IN PART: (Tag) "Top-Flyte Brand 60% Digester Tankage * * * Mid-America Milling Company, 34th and Grover, Omaha, Nebraska * * * Ingredients: Meat Residue"; and (tag) "Top-Flyte 50% Meat and Bone Scraps * * * Mid-America Milling Company * * * Ingredients: Meat Residue and Bone."

LIBELED: 5-9-63, Dist. Minn.

CHARGE: 402(a)(2)(C)—when shipped, the articles contained a food additive, namely, leather with chromium salt, which was unsafe within the meaning of 409 since it and its use or intended use were not in conformity with a regulation or exemption in effect pursuant to 409; 402(b)(4)—leather with chromium salt had been added to the articles or mixed or packed therewith

to increase their bulk or weight; and 403(a)—the names "digester tankage" and "meat and bone scraps" were false and misleading as applied to articles in which leather with chromium salt had been substituted in part for digester tankage and meat and bone scraps.

DISPOSITION: 6-20-63. Consent—claimed by Mid-America Milling Co., and released under bond for reconditioning.

FISH AND SHELLFISH

29253. Frozen whitefish. (F.D.C. No. 49328. S. Nos. 70-751 X, 70-755 X.)

QUANTITY: 76 65-lb. boxes at Buffalo, N.Y.

SHIPPED: 8-27-63, from Detroit, Mich., by J. Kozloff Fish Distributors, Inc.

LABEL IN PART: (Box) "Product of Canada Dressed Medium Whitefish * * * XADA Inspected 810 * * * Gett Fisheries * * * Big Peter Pond Lake Sask."

LIBELED: 9-25-63, W. Dist. N.Y.

CHARGE: 402(a)(3)—contained parasitic worms when shipped.

DISPOSITION: 11-15-63. Consent—claimed by the shipper for exportation to the original foreign supplier.

29254. Frozen perch fillets. (F.D.C. No. 49065. S. Nos. 56-255/6 V.)

QUANTITY: 535 ctns., each containing 12 1-lb. pkgs., at Gloucester, Mass.

SHIPPED: These fillets were from fish caught by the fishing vessel "Mary Ann" in the waters of the Atlantic Ocean outside the territorial limits of the State of Massachusetts, and landed at Gloucester, Mass., on 5-20-63.

LIBELED: 6-5-63, Dist. Mass.

CHARGE: 402(a)(3)—contained parasitic copepods when shipped.

DISPOSITION: 8-12-63. Consent—claimed by American Fillet Corp., Gloucester, Mass., and destroyed.

29255. Canned tunafish. (F.D.C. No. 48977. S. Nos. 60-549/50 V, 18-801 X.)

QUANTITY: 846 cases, each containing 48 6-oz. cans, at Dallas, Tex.

SHIPPED: 2-20-63 and 3-14-63, from Terminal Island, Calif., by J. R. Barry & Co.

LABEL IN PART: (Can) "Hi-Note Brand Blended Dark and Light Tuna Flakes South Sales Co. Distributors Terminal Island, Calif."

LIBELED: 5-28-63, N. Dist. Tex.

CHARGE: 402(b)(2)—when shipped, fragments of bones and scales were substituted in whole or in part for tunafish; and 403(g)(1)—the article failed to conform to the definition and standard of identity for canned tuna since it contained fragments of bones and scales which are not permitted as ingredients of tunafish in such definition and standard.

DISPOSITION: 11-8-63. Consent—claimed by California Marine Curing & Packing Co., for relabeling as cat food.

29256. Frozen oysters. (F.D.C. No. 49070. S. Nos. 79-483/4 V.)

QUANTITY: 13 cases and 73 cases, each case containing 12 12-oz. cans, at Denver, Colo.